

EXHIBIT J



August 22, 2024

Via Email (latoyatyson@dwt.com)

Latoya A. Tyson, Esq.
DAVIS WRIGHT TREMAINE LLP
1251 Avenue of the Americas, 21st Floor,
New York, NY 10020-1104

Re: *Sacks Holdings, Inc. v. Grin Natural USA Limited, et al.*
(1:23-cv-1058, MDNC)

Womble Bond Dickinson (US) LLP

One West Fourth Street
Winston-Salem, NC 27101

t: 336.721.3600

f: 336.721.3660

Jacob S. Wharton
Partner
Direct Dial: 336-747-6609
Direct Fax: 336-726-6985
E-mail: Jacob.Wharton@wbd-us.com

Dear Ms. Tyson:

This follows up on my communication of August 16, 2024, and is in further response to your communication of August 9, 2024, regarding Defendants' concerns with Plaintiff's discovery responses to-date. We are continuing to collect and review documents from Plaintiff Sacks Holdings, Inc. ("Sacks"). As previously stated, and as done by Defendants, Sacks will make a rolling production that will continue until complete.

Regarding certain Requests for Production noted in your letter, please see the update on the following:

- RFP 6: Sacks stands on its objections.
- RFP 12: Documents have been produced and additional documents are forthcoming.
- RFP 14: Documents have been produced. See ECF No. 25-1.
- RFP 20: After further investigation, no responsive documents exist.
- RFP 23: Documents have been produced and additional documents are forthcoming.
- RFP 29: Documents have been produced.
- RFP 33: Documents have been produced.
- RFP 34: Sacks stands on its objections.
- RFP 35: Documents have been produced (Mr. Roderman's Declaration).



- RFP 37: After further investigation, no responsive documents exist.
- RFP 38: As stated in Sacks' response, no non-privileged documents exist.
- RFP 40: After further investigation, no responsive documents exist.
- RFP 41: After further investigation, no responsive documents exist.
- RFP 44: As stated in Sacks' response, no responsive documents exist.
- RFP 51: Sacks stands on its objections.
- RFP 52: Sacks stands on its objections.
- RFP 59: Sacks refers Defendants to the deposition testimony of Tara Tan/Rule 30(b)(6) testimony of Defendants.
- RFP 60: Sacks stands on its objections that this request is premature.
- RFP 61: All documents have been produced.

Sacks notes that for several of the requests, Sacks already indicated in its responses that no responsive documents exist. Thus, Sacks cannot be deficient in its responses when no documents exist. It is not clear whether you reviewed Sacks responses or simply lumped multiple requests together without regard to the responses already given by Sacks. In any event, it is inefficient to request that Sacks supplement its responses to document requests when it has already indicated that no responsive documents exist.

Regarding Defendants' allegations concerning Interrogator Nos. 1 and 15, Plaintiff refers Defendants back to my letter of August 16, 2024. Specifically, Plaintiff stands on its responses and asserts that Defendants are merely seeking additional information that should have been requested in the original interrogatories or through service of additional interrogatories. As previously noted, no new interrogatories may be served at this time under the scheduling order and the local civil rules.

Regarding Interrogatory No. 7, Sacks will identify and produce additional responsive documents.

Sacks reserves all rights.



Respectfully,

WOMBLE BOND DICKINSON (US) LLP

A handwritten signature in black ink, appearing to read 'J. Wharton', with a long horizontal flourish extending to the right.

Jacob S. Wharton
Partner

Cc: All Counsel of Record